

JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES

OF THE  
Twentieth Legislature, State of Texas,

BEGUN AND HELD AT THE  
CITY OF AUSTIN, JANUARY 11, 1887.

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AUSTIN:  
TRIPLETT & HUTCHINGS, STATE PRINTERS  
1887.

MR. CONE:

Offered the following resolution:

HOUSE JOINT RESOLUTION.

Whereas, There is a deficiency in the public free school fund, so that teachers are not being paid their salaries, and our school interests are likely to suffer as a consequence, and,

Whereas, It is believed that there has been an unwarrantable laxness, both in the payment and collection of the interest upon the demands of the State, growing out of the sale of certain free school lands, therefore be it resolved,

First, That the Speaker of the House be, and is hereby requested, to appoint a special committee of three of the members of this body, to act in conjunction with a like committee of two members from the Senate, whose duty it shall be to call upon the proper authorities—the Comptroller, Treasurer and Commissioner of the General Land Office—and ascertain how much and what of the interest on demands growing out of the sale of public free school lands under the acts of the Legislature of 1879 and 1881 is unpaid, and report back to the two houses of the present Legislature at the earliest practicable moment.

MR. CONE

Submitted the following report:

COMMITTEE ROOM. }

AUSTIN, March 3, 1887. }

*Hon. T. B. Wheeler, President of the Senate, and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:*

Sir—Your special joint committee appointed for the purpose of inquiring into the cause of the delay in the payment of interest due on land notes, due for land sold under the acts of 1879 and 1881, and now unpaid, and to ascertain why some counties have received all of their portion of the free school fund and others have not, and why the fund is behind in payment and to suggest a remedy in our report thereon, respectfully beg leave to submit the following report:

We find that the appointments for the public schools is made on July 15. The basis of apportionment is the occupation and school taxes levied, but not subject to forced collection until March; and on the interest arising from interest bearing land notes owned by the school fund of the State. The schools begin in September, and so are running at least six months ahead of the payment of the school money.

Under the sales of the acts of 1879 and 1881 the unpaid school land notes bear interest as follows:

Four hundred and thirty-two thousand and eight dollars at 10 per cent per annum; \$4,981,700 at 8 per cent per annum, making a total annual interest of \$441,743.20 on said notes.

By the acts of the Nineteenth Legislature the time for the forced payment of this interest, which is due on January 1, was extended to August 1.

The annual interest derived from school lands sold by the Land Board amounts to \$300,000.

The time for the forced payment of this was also extended to August 1.

This, together with the interest on land notes sold under the acts of 1879 and 1881, amounts to a total annual interest of \$741,743.20, the payment of which has been extended to August the first, to which is largely due the tardy payment and present deficiency in the available school fund.

The reason some counties are more promptly paid than others is, in the opinion of your committee, due to the coupon system, under which the counties draw their warrants and present them to the State Treasurer, who registers in their order, and when the school fund is paid into the treasury the warrants are paid in the order of their registration, thus giving those counties which get their warrants registered first, an advantage over the other counties of the State. We further find that some counties do not expend their entire apportionment of free school money and thus have accumulated large amounts in the county treasuries. There is now piled up in the treasuries of ten counties of this State the sum of \$192,812 and that in one county of this State has now in its treasury the sum of \$164 per capita.

We therefore recommend the repeal of "An act to prevent the forfeiture of the rights of purchasers of public free school land, university and asylum lands" passed by the Nineteenth Legislature and approved February 19, 1885.

Also that an act passed by the Nineteenth Legislature and approved February 13, 1885, be so amended that the interest will be due and payable on first of January of each year, with sixty days of grace, as provided by the act creating the law under which the public lands were sold. We further recommend the passage of an act requiring county judges to report to the board of education immediately after the close of the free schools in their counties the surplus of the school fund in the county, if any, and that the board of education be required, before making apportionment of said free school fund, take into consideration the surplus reported as being on hand by the county judges, and the board shall deduct the same from the amount due the county having such surplus.

All of which is respectfully submitted.

WOODS,  
For Senate Committee.  
CONE,  
For House Committee.

On motion of Mr. Mills,  
The House adjourned until to-morrow morning at 9:30 o'clock.